

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Freda L. Wolfson  
v. : Crim. No. 09-399 (FLW)  
KHALIF SPIVEY : CONTINUANCE ORDER

This matter having come before the Court on the joint application of Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (by Ronnell L. Wilson, Assistant U.S. Attorney), and defendant Khalif Spivey (by David E. Schafer, Assistant Federal Public Defender) for an order granting a continuance of the proceedings in the above-captioned matter to pursue plea negotiations, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to finalize a plea agreement, which would render trial of this matter unnecessary;

2. The grant of a continuance will likely conserve judicial resources;

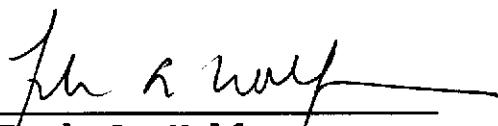
3. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, on this 23rd day of June 2009,

IT IS ORDERED that this action be, and it is hereby continued from ~~January 10~~, <sup>June 23</sup> 2009 through ~~March 10~~, <sup>September 21</sup> 2009; and the trial is scheduled for ~~March 23~~, <sup>September 21</sup> 2009, or a date to be set by the Court; and it is further

ORDERED that motions shall be filed August 10, 2009; the opposition motions shall be filed by August 24, 2009; the argument of motions is scheduled for September 8, 2009, or a date to be set by the Court; and the trial is scheduled for September 21~~25~~, 2009, or a date to be set by the Court;

ORDERED that the period from June 23, 2009 through ~~September 21~~ <sup>August 7</sup>, 2009, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(7).

  
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HON. Freda L. Wolfson  
United States District Judge

Form and entry  
consented to:

Ronell L. Wilson

Ronnell L. Wilson  
Assistant U.S. Attorney

David E. Schaefer

David E. Schaefer, AFPD  
Counsel for defendant Khalif Spivey

Khalif Spivey

Khalif Spivey